

**Minutes**  
**Arkansas Psychology Board**  
**101 East Capitol, Suite 415**  
**Board Meeting**  
**July 16, 2010**

**CALL TO ORDER**

The meeting was called to order by the Chair of the Board, Dr. Edward Kleitsch at 9:00AM.

**ROLL CALL**

Board Members present: Dr. Edward Kleitsch, Ms. Elizabeth Glenn, Ms. Gloria Gordon, Mr. Christopher Hoggard, Dr. James Fuendeling, Dr. Judd Harbin and Dr. Gary Souheaver.

The Board excused: Ms. Rosalyn Watts and Dr. Lisa McNeir were excused.

Staff Members present: Mr. James Ammel, Ms. Amy Ford, Ms. Sheila Pauley and Ms. Meagan Kuta.

**APPROVAL OF AGENDA**

Dr. Kleitsch presented the agenda for approval. Dr. Souheaver made a motion to approve the agenda with Dr. Fowler moved to the top of the agenda. Dr. Fuendeling seconded the motion. The motion passed unanimously.

**APPROVAL OF PAST MINUTES**

Dr. Kleitsch presented the minutes from the June 18, 2010 Board Meeting. Dr. Souheaver made a motion to approve the agenda. Dr. Fuendeling seconded the motion. The motion passed unanimously.

**COMPLAINT COMMITTEE REPORT**

Mr. James Ammel presented the following reports to the Board:

*C-09-05 [Rec'd 10/04/09]*  
*C-09-06 [Rec'd 10/15/09]*

***ACTION ITEMS***

***COMPLAINANTS:*** *Individual parents who had their respective children evaluated by the Respondent psychologist each in 2006. Ever since, the parents each have tried to obtain a copy of the examination report on a number of occasions to no avail until filing of their separate complaints.*

**RESPONDENT:** *A licensed psychologist who provided excuses for not having provided the reports in question while maintaining he had likely already done so.*

**STATUS/RECOMMENDATIONS:** *The Respondent was directed to supply copies of the examination reports to the complainants and also to supply to us various documentation that he referenced in his responses. He did not supply anything to us. Respondent was then directed in a June letter to supply to us copies of his entire files regarding both examinations by no later than 6/30/10. That material also was not forthcoming. In C-09-06 complainant has recited alleged facts that would seemingly constitute considerable harm having occurred from not having timely received the report in issue. The Screening Committee concluded there was probable cause to believe that both cases involve violations of Standards 6.01 (Documentation of Professional and Scientific Work and Maintenance of Records) and Standard 9.10 (Explaining Assessment Results), as well as ACA Statute 17-97-310(a)(8) and its implementing Regulation 11.6.H. (any violation of the rules of ethics adopted by the Board being grounds for discipline). C-09-06 also implicates Standard 3.04 (Avoiding Harm) as a potential additional violation. The Committee recommended that Respondent be called to a hearing for consideration of these two cases jointly, and the Board adopted that recommendation at its 7/16/10 meeting.*

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**C-09-07 [Rec'd 10/15/09]**

**ACTION ITEM**

**COMPLAINANT:** *A divorced father who complained about a psychologist who had been supplying therapy to his two children and ex-wife and also had been supplying expert testimony for the ex-wife in ongoing litigation involving visitation and other matters. Complainant objected that he had never been formally evaluated by Respondent. Complainant also objected about a number of allegations that are not particularly pertinent or relevant.*

**RESPONDENT:** *A psychologist who had began supplying therapy to the children beginning the day before a court hearing in 5/07 and had also been providing expert witness testimony for ex-wife's attorney in at least three (3) hearing sessions since the therapy had commenced and was continued. Respondent also seemingly provided a diagnosis of the complainant during the first hearing session based only on what had been presented to that psychologist by the ex-wife (and possibly her attorney) and also on the psychologist's observance of complainant during the court session. Respondent made a number of recommendations for restrictions on visitation. Respondent asserted that no custody evaluation had been done and therefore no violation occurred.*

**STATUS/RECOMMENDATIONS:** *The Screening Committee reported that there was probable cause to believe Respondent has violated Standard 3.05(a & b) (Multiple Relationships) for engaging in the dual roles of therapist and expert witness on an ongoing basis and Standard 9.01 (a & b, and possibly c) (Bases for Assessments) for supplying a diagnosis of the complainant during testimony without sufficient assessment. These ethical Standards violations would also constitute violation of ACA*

*Statute 17-97-310 (a)(8) and Regulation 11.6.H. The Committee recommended to the Board that a resolution of this matter by Consent Order be attempted and the provisions would be the following: admission of violations; a minimal 6-month suspension of the license; a \$1,000 fine; reimbursement to the Board of the costs of the investigation; completion of a continuing education program to be proposed by Respondent, subject to Board approval, regarding ethical issues involved in this matter, with completion occurring before license reinstatement; and immediate cessation of expert witness forensic services in the underlying litigation. The Board adopted that recommendation at its 7/16/10 meeting. If Respondent does not accept this proposed resolution, a hearing is to be called.*

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*C-10-02 [Rec'd 2/25/10]  
ADVISORY ITEM*

*COMPLAINANT: The Board staff received an anonymous newspaper article about a psychological examiner who had been arrested for public intoxication and possession of a controlled substance. The article and arrest report also alleged that Respondent had mentioned having served children of a named local judge.*

*RESPONDENT: A psychological examiner who admitted being arrested and plea bargained to a "no contest" conviction of both charges (both being misdemeanors) and resulting in a fine, a suspended jail sentence, and attendance in a substance use program. Respondent reported that the controlled substance was Xanax actually belonging to his mother and which had been inadvertently left in the pocket of her jacket that he was wearing at the time of arrest. The mother submitted confirmation of these facts and verification of her prescription.*

*STATUS: The arresting police officer was interviewed and he declined to name the judge allegedly mentioned by Respondent during the arrest. The criminal convictions were not of a felonious level and therefore can not serve as a basis for statutorily-mandated discipline. Due to the anonymity of the complaint, the lack of proof of a violation of confidentiality, and the level of crimes, the Screening Committee administratively closed this case without further disciplinary action on 7/16/10, subject to re-opening should similar circumstances occur in the future.*

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*C-10-05 [Rec'd 06/11/10]  
ADVISORY ITEM*

*COMPLAINANT: The Board was copied by an anonymous complaint addressed to the Counseling Board about its doctoral-level LPC licensee, alleging that the LPC was engaging in assessment activities that were psychological in nature and without proper credentials to do so.*

*RESPONDENT: A Licensed Professional Counselor who did not have an "assessment" specialization with his license.*

***STATUS: The Counseling Board conducted its own investigation and concluded that the Respondent was practicing within the scope of his license and dismissed its own complaint file. ACA Statute 17-80-114 mandates that the findings of another healing arts licensing board as to scope of practice issues is dispositive and therefore binds any other board, with limited exceptions. Accordingly, the Screening Committee administratively closed this case on 7/16/10.***

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***C-10-07 [Rec'd 06/28/10]  
ADVISORY ITEM***

***COMPLAINANT: The Missouri State Committee of Psychologists (licensing board) advised APB that it had disciplined a psychologist licensed in Missouri and Arkansas in June 2010 by a "censure," being the lowest form of discipline available to that board.***

***RESPONDENT: Arkansas-licensed psychologist who apparently violated a Missouri statutorily-created ethical provision prohibiting a financial relationship with a former client within 24 months of professional services having been provided. The psychologist rented a home to a former client approximately 6 months after having ceased provision of psychological services to that client.***

***STATUS: As the Missouri discipline was based on its own statutory prohibition rather than an APA ethical Standard per se, the Screening Committee concluded that no further disciplinary action need be taken against the Respondent's Arkansas license. Accordingly, the Committee administratively closed this file on 7/16/10 with the proviso that a copy of the Missouri disciplinary action be inserted in Respondent's general licensure file.***

## **OLD BUSINESS**

Terri Albert submitted a Statement of Intent revision and Supervision Agreement/Plan with Sharon Trout, Ed.D. Dr. Harbin made a motion to approve the requests. Ms. Glenn seconded the motion. The motion passed unanimously.

## **NEW BUSINESS**

### **Visitor**

Dr. Joyce Fowler requested permission to approach the Board to discuss concerns that the Arkansas Psychological Associations has regarding effective communication between the board office and the licensees. Dr. Fowler stated during licensure renewal some licensees contacted ArPA and indicated they were unable to get in touch with Board staff. This was due to the environmental issues in the Board office and due to personal reasons staff was unable to work within the office. Therefore, the staff was working from remote locations. Dr. Fowler requested that ArPA be informed of the plans of action made by this Board.

## **Executive Director Report**

Ms. Pauley requested the Board approve a third position. Ms. Glenn made a motion to approve. Dr. Harbin seconded the motion. The motion passed unanimously.

Ms. Pauley requested permission to get a volunteer. Dr. Harbin made a motion to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Ms. Pauley requested permission to buy a new desk and computer. Dr. Fuendeling made a motion to approve. Ms. Glenn seconded the motion. The motion passed unanimously.

## **Recess/Reconvene**

The Board recessed at 10:30AM then reconvened at 10:45AM.

## **Statement of Intent Revisions**

Mr. Ronald Bush submitted a Statement of Intent Revision and a Licensee Supervision Agreement and Licensee Plan with Dr. Thomas Stephenson for determination. Dr. Souheaver made a motion to approve Mr. Bush's request. Dr. Harbin seconded the motion. The motion passed unanimously.

Ms. Patricia Griffin submitted a Statement of Intent revision. Ms. Gordon moved to send the document back requesting a cover letter to explain her request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Elizabeth Ladd submitted a Statement of Intent revision. Mr. Hoggard moved to send the document back requesting a cover letter to explain her request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Christine Lin submitted a Statement of Intent revision to include Psychoeducational Testing without supervision. Ms. Glenn moved to approve the motion. Dr. Souheaver seconded the motion. The motion passed unanimously.

Dr. Chrystal McChristian submitted a Statement of Intent revision to add Sexual/Physical Abuse Victims to the population served and drop Neuropsychological Assessments. Dr. Harbin moved to approve the motion. Ms. Glenn seconded the motion. The motion passed unanimously.

Ms. Michelle Messer submitted a Statement of Intent revision and a Supervision Plan/Agreement with Dr. Reddig to the Board for approval. Dr. Harbin moved to deny the supervision plan based on insufficient hours of supervision as well as the Statement of Intent. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Joan Miller submitted a Statement of Intent revision to include only psychoeducational assessment. Dr. Fuendeling moved to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

#### **Licensee Supervision Agreement and/or Supervision Plan Changes**

Ms. Jamie Battles submitted a Licensee Supervision Agreement and Supervision Plan with Dr. Tami Barber for determination. . Dr. Fuendeling moved to approve the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Rhonda Blackwell submitted a Licensee Supervision Agreement and Supervision Plan with Dr. Pasold for determination. Dr. Harbin made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Mandalyn Easton submitted a Licensee Supervision Agreement and Supervision Plan with Dr. Janine Watson and Dr. Larry Evans for determination. Dr. Harbin made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Pamela Keefer submitted a Licensee Supervision Agreement and Supervision Plan with Dr. Susan Sobel for determination. Dr. Souheaver made a motion to approve the request. Ms Glenn seconded the motion. The motion passed unanimously.

Ms. Misty Witherington submitted a Licensee Supervision Agreement and Supervision Plan with Dr. Mary Ekdahl for determination. Mr. Hoggard made a motion to approve the request. Ms. Glenn seconded the motion. The motion passed unanimously.

#### **Provisional Licensee Supervision Agreement and/or Supervision Plan Changes**

Dr. Catherine Adams submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. Samuel Hester for determination. Ms. Glenn made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Michelle Aiken submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. Sandra Billie for determination. Mr. Glenn made a motion to approve the request but with a caution to notify the Board upon changes in supervision within ten (10) business days. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Rebecca Aldea submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. Flynn for determination. Dr. Fuendeling moved to deny the request pending Ms. Aldea identify her Provisional Licensee number. Ms. Glenn seconded the motion. The motion passed unanimously.

Ms. Taylor Branton submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. Richard Moore for determination. Dr. Harbin made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Mary Carnahan submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. James Vasilos for determination. Ms. Glenn made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Jennifer Downey submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. Erica Moseby for determination. Ms. Glenn made a motion to approve the request. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Adrienne Owen submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. Christina Scott for determination. Ms. Glenn made a motion to approve the request. Dr. Harbin seconded the motion. The motion passed unanimously.

Ms. Sharla Reynolds submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. Nancy Powell for determination. Dr. Harbin made a motion to deny the request based on insufficient hours of supervision. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Dr. Femina Varghese submitted a Provisional Licensee Supervision Agreement and Supervision Plan with Dr. Ness and Dr. Bihm were submitted for approval. The Plan with Dr. Bihm is an area which is does not require supervision by the Board. Dr. Fuendeling moved to approve the Supervision Plan with Dr. Ness. Ms. Glenn seconded the motion. The motion passed unanimously.

### **Independent Status Requests**

Mr. Michael Bibbs submitted documentation to begin accruing 3000 hours towards Independent Status. Ms. Glenn moved to deny the motion based on not enough supervision hours. Ms. Gordon seconded the motion. The motion passed unanimously.

Ms. Rhonda Blackwell submitted documentation to begin accruing 3000 hours towards Independent Status. Dr. Harbin moved to deny the motion based on not enough supervision hours. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Amy Chapman submitted documentation to begin accruing 3000 hours towards Independent Status. Dr. Souheaver moved to deny the motion based on the absence of a cover letter and not enough supervision hours. Ms. Glenn seconded the motion. The motion passed unanimously.

Ms. Kandi Holmes submitted documentation to begin accruing 3000 hours towards Independent Status. Ms. Glenn moved to approve the motion. Dr. Harbin seconded the motion. The motion passed unanimously.

Ms. Jerrilyn Wasson-Swalve Holmes submitted documentation to begin accruing 3000 hours towards Independent Status. Ms. Glenn moved to deny the motion due to the fact the Statements of Intent for Ms. Wasson-Swalve and her Supervisor does not match and there are not enough hours of supervision listed. Dr. Harbin seconded the motion. The motion passed unanimously.

Mr. Mark Wargo submitted documentation to begin accruing 3000 hours towards Independent Status request. Dr. Souheaver moved to deny the request and would like Mr. Wargo to clarify the reason for less frequent supervision. Dr. Harbin seconded the motion. The motion passed unanimously.

### **Licensed Psychological Examiner, Completion of 3000 Hours toward Independent Status**

Ms. Lisa Adams submitted a cover letter and the appropriate documentation indicating successful completion of 3000 hours of clinical training for Independent Status as a Psychological Examiner. Dr. Harbin made a motion to approve the request for Independent Status. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Latonia Cross-Tweedy submitted a cover letter and the appropriate documentation indicating successful completion of 3000 hours of clinical training for Independent Status as a Psychological Examiner. Dr. Fuendeling made a motion to approve the request for Independent Status. Dr. Harbin seconded the motion. The motion passed unanimously.

Ms. Cathy George submitted a cover letter and the appropriate documentation indicating successful completion of 3000 hours of clinical training for Independent Status as a Psychological Examiner. Dr. Fuendeling made a motion to approve the request for Independent Status. Ms. Glenn seconded the motion. The motion passed unanimously.

Ms. Karlyn Moore Jay submitted a cover letter and the appropriate documentation indicating successful completion of 3000 hours of clinical training for Independent Status as a Psychological Examiner. Dr. Souheaver made a motion to approve the request for Independent Status. Ms. Glenn seconded the motion. The motion passed unanimously.

Ms. Amy Dixon Parker submitted a cover letter and the appropriate documentation indicating successful completion of 3000 hours of clinical training for Independent Status as a Psychological Examiner. Dr. Fuendeling made a motion to approve the request for Independent Status. Ms. Glenn seconded the motion. The motion passed unanimously. Ms. Paula Shirron submitted a cover letter and the appropriate documentation indicating successful completion of 3000 hours of clinical training for Independent Status as a

Psychological Examiner. Mr. Hoggard made a motion to approve the request for Independent Status. Ms. Glenn seconded the motion. The motion passed unanimously.

### **Supervisor Status Request**

Dr. Linda Brewer submitted documentation requesting Supervisor Status to the Board for determination. Ms. Glenn moved to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Dr. Elizabeth Pulliman submitted documentation requesting Supervisor Status to the Board for determination. Dr. Harbin moved to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Dr. Connie Venhaus submitted documentation requesting Supervisor Status to the Board for determination. Dr. Souheaver moved to table the request pending the outcome of the Oral Examination. Dr. Harbin seconded the motion. The motion passed unanimously.

### **Letter to the Board**

Dr. Dennis Kellar submitted a letter requesting a waiver of late fees. Ms. Elizabeth Glenn moved to accept the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Keva Rodgers submitted a letter requesting a waiver of late fees. Ms. Elizabeth Glenn moved to accept the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Sunnie Butcher-Keller submitted a letter requesting an extension of her Provisional License due to personal reasons. Dr. Harbin moved to accept the request and give her a six month extension. Ms. Glenn seconded the motion. The motion passed unanimously. (Ms. Gordon voted negatively on this item.)

Ms. Courtney Rocho submitted a letter requesting a waiver of application fees when applying for a psychologist application based on the fact last month she paid for a psychological examiner packet that she will not utilizing this license for to apply for the position for her post doctoral experience. Dr. Fuendeling moved to decline the request. Dr. Souheaver seconded the motion. The motion passed unanimously.

Ms. Kaye Ramsey submitted a letter requesting an extension of her provisional license through September 2010. Dr. Harbin moved to approve the request. Mr. Hoggard seconded the motion. The motion passed unanimously.

Ms. Whitney Farmer submitted a letter requesting guidance as to coursework in reference to approval of her provisional license. Dr. Harbin denied the request based on the fact the Board does not pre-approve coursework. Dr. Souheaver seconded the motion. The motion passed unanimously.

Mr. Donald Wilson submitted paperwork to the Board requesting to return to active status and obtain Independent Status. Ms. Glenn denied the request based on the absence of CEU requirements necessary to return to active status.

### **Recess**

The Board recessed at 12:40 for an Executive Session, Orals and lunch. At 4:05, the Board reconvened to vote on Orals and the motions of the Executive session.

### **Executive Session and Recommendations of the Board:**

Next year, the Arkansas Psychology Board staff will mail out license cards renewal reminders three months prior to the licensure renewal period with a reminder to renew in a timely manner. Additionally, the staff will encourage licensees to renew online.

The Arkansas Psychology Board staff will mail out pre-packets a week prior to the Board meeting.

The Arkansas Psychology Board staff will keep a log of all phone calls with the individual calling, date/time of phone call and nature of call.

The Arkansas Psychology Board staff will keep a master calendar of all office deadlines.

Dr. Souheaver moved to adopt all recommendations of the executive session with the details to be communicated to the Governor's office and associations. Dr. Fuendeling seconded the motion. The motion passed unanimously.

Ms. Gordon is appointed to obtain all complaints to the Board and contact the complainants. Dr. Souheaver moved to obtain all complaints for the Board representative for complaints. Dr. Harbin seconded the motion. The motion passed unanimously.

Additionally, Dr. Souheaver made a motion to approve funds up to \$500.00 to purchase a dehumidifier for the office. Ms. Glenn seconded the motion. The motion passed unanimously.

### **Adjourn**

Dr. Harbin moved to adjourn. Dr. Fuendeling seconded the motion. The motion passed unanimously. The Board adjourned at 5:00 PM.